

EXHIBIT B

TELEPHONE NO.:

FAX NO. (Optional):

ATTORNEY FOR (Name):

FILED
Superior Court Of California
County Of Los Angeles

MAR 16 2022

Sherri R. Carter, Executive Officer/Clerk

By B. Navarro Deputy
Brenda Navarro

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS: 42011 4th Street West

MAILING ADDRESS: Lancaster, CA 93534

CITY AND ZIP CODE:

BRANCH NAME:

CASE NAME:

CIVIL CASE COVER SHEET

☒ **Unlimited** ☐ **Limited**
(Amount demanded exceeds \$25,000) (Amount demanded is \$25,000)

Complex Case Designation

☐ Counter ☐ Joinder
Filed with first appearance by defendant
(Cal. Rules of Court, rule 3.402)

CASE NUMBER:

22AVR000 363

JUDGE:

DEPT.:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort

☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

☐ Asbestos (04)
☐ Product liability (24)
☐ Medical malpractice (45)
☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

☒ Business tort/unfair business practice (07)
☐ Civil rights (08)
☒ Defamation (13)
☒ Fraud (16)
☐ Intellectual property (19)
☒ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment

☐ Wrongful termination (36)
☐ Other employment (15)

Contract

☒ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)

Other contract (37)

Real Property

☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)

Other real property (26)

Unlawful Detainer

☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review

☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☐ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation
(Cal. Rules of Court, rules 3.400-3.403)

☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

☐ Enforcement of judgment (20)

Miscellaneous Civil Complaint

☐ RICO (27)
☒ Other complaint (not specified above) (42)

Miscellaneous Civil Petition

☒ Partnership and corporate governance (21)
☐ Other petition (not specified above) (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. ☐ Large number of separately represented parties d. ☐ Large number of witnesses
b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. ☐ Substantial amount of documentary evidence f. ☐ Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive

4. Number of causes of action (specify): 7

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: March 16, 2022
Tamara Hu

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—
Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

SHORT TITLE:

CASE NUMBER

22AVR000363

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District. | 7. Location where petitioner resides. |
| 2. Permissive filing in central district. | 8. Location wherein defendant/respondent functions wholly. |
| 3. Location where cause of action arose. | 9. Location where one or more of the parties reside. |
| 4. Mandatory personal injury filing in North District. | 10. Location of Labor Commissioner Office. |
| 5. Location where performance required or defendant resides. | 11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury). |
| 6. Location of property or permanently garaged vehicle. | |

Auto
TortOther Personal Injury/Property
Damage/Wrongful Death Tort

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

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Exh. B

SHORT TITLE:	CASE NUMBER: 22AVR000363
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels_____	2, 6
Real Property	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
Unlawful Detainer	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer-Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE:

CASE NUMBER

22AVR000363

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input checked="" type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 5, 11 2, 6 2, 9 2, 8 2, 8 2, 8, 9
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8 2, 8 1, 2, 8 1, 2, 8
	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	<input checked="" type="checkbox"/> A6121 Civil Harassment With Damages <input type="checkbox"/> A6123 Workplace Harassment With Damages <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case With Damages <input checked="" type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input checked="" type="checkbox"/> A6100 Other Civil Petition	2, 3, 9 2, 3, 9 2, 3, 9 2 2, 7 2, 3, 8 2, 9

CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION

SHORT TITLE:	CASE NUMBER 22AVR000363
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Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input checked="" type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS: 41459 Armand Ave Pasadena CA 93531		
CITY:	STATE:	ZIP CODE:			

Step 5: Certification of Assignment: I certify that this case is properly filed in the NORTH District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: March 16, 2022


 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

STATEMENT OF DECISION REQUEST

Rule 3, Section 1590 details rules and requirements for plaintiffs to request a statement of decision. Plaintiff hereby makes the request for a Statement of Decision.

PRAYER FOR RELIEF

Plaintiff petitions the Court seeking relief and remedy in filing petition for a writ of mandate and complaint for declaratory and injunctive relief against the Guild Law School, dba People's College of Law (hereinafter referred to as "PCL" or "the College"), past and present Dean's and Presidents of the college as well as it's current "Community Board" which was instantiated via ultra vires action in part as an attempt to interfere with movants attempts as a lawfully and duly authorized student Board Member and Secretary of the Corporation to bring the college into compliance with the law and regulatory requirements for operation.

Specifically, Plaintiff seeks the following:

- I. Recovery of personal property
- II. Production of documents
- III. Protective Order
- IV. Relief for work performed under fraudulent circumstances; quantum meruit.

RECOVERY OF PERSONAL PROPERTY VIA DISGORGEMENT OR APPROPRIATE MECHANISM; QUANTUM MERUIT FOR SERVICES PERFORMED UNDER DECEPTIVE PRACTICE; IMPROPER CONVEYANCE.

Under circumstances described infra, Plaintiff asserts that Plaintiff reasonably and in good faith paid moneys not owed, in the sum of \$8934 said sum included the total amount of \$5000 (\$5600 minus a 40-hour volunteer commitments) that yields a theoretical \$600 discount.

Todd devoted over 300 hours to PCL from 2019 until today: hosting study sessions every Saturday for 38 weeks, board meeting attendance, installation, student and teacher training and support for the Microsoft Teams platform, which included working with Microsoft and various providers.

All of the above for \$600 a year, which plaintiff knows and has admitted to the fact I was "entitled" to it, have unlawfully "revoked" that credit to apply pressure in bad faith, although plaintiff has written correspondence acknowledging completion of the hours. So much time was spent on this project that the Board at that time authorized a \$600 additional payment as a student work-study project.

Plaintiff estimates here that a similar installation in the private sector for a similar institution would cost \$70,000 - \$95,000.

Courts in other jurisdictions have similarly concluded that lawyers can run afoul of disciplinary rules by facilitating fraudulent conveyances or fraudulently conveying property themselves. See,

e.g., *In re Morris*, No. 11–O–13518, 2013 WL 6598701, at *1 (Cal.Bar Ct. Dec. 4, 2013) (unpublished opinion) (finding lawyer violated rule prohibiting moral turpitude, dishonesty, and corruption by assisting a client in creating promissory notes and recording deeds of trust to delay a creditor's collection of its judgment);

PLAINTIFF PRAYS THAT THE COURT GRANT COMPENSATORY DAMAGES CONSISTENT WITH ITS FINDINGS AS WELL AS COURT COSTS IN THE AMOUNT OF \$750,000 PLUS ANY STATUTORY AMOUNTS

PLAINTIFF PRAYS THAT THE COURT GRANT PUNITIVE DAMAGES PURSUANT TO ITS FINDINGS IN THE AMOUNT OF \$2.95 MILLION DOLLARS.

The acts Plaintiff asserts were committed in this case are particularly egregious and meet all the criteria for reprehensibility when the innumerable breaches of fiduciary and civil duties co-requisite with the tortious, and plaintiff contends likely criminal [a search warrant was issued related, acts performed by sophisticated actors....attorneys, those with Juris Doctorates, and students in a legal program designed to confer a Juris Doctorate.

SUMMARY OF CLAIMS

The issues before the Bar include, but may not be limited to and thus plaintiff prays for patience to amend if found lacking:

ENFORCEMENT OF DEMAND FOR PRODUCTION OF DOCUMENTS; PEOPLES COLLEGE OF LAW NEEDS TO PROVIDE MR. TODD HILL WITH THE MINUTES OF THEIR BOARD MEETINGS, THE ZOOM RECORDINGS BY FORMER PRESIDENT CHRISTINA GONZALEZ, AND THE ACCOUNTING BOOKS

Pursuant to

Here Plaintiff has under color of law, member of the Community Board, and Secretary of the Corporation, issued a Demand for the Production of Documents on October 18, 2021 with all subsequent notices required under . Generally, ten (10) days is considered a reasonable time, unless some attempt is made to make alternative arrangements or assert privilege.

Here, neither a suggestion for alternative arrangements nor an assertion of privilege nor excuse has been made in response to my request. To date I have not received anything resembling an appropriate response to this demand at all. No response has been tendered.

PLAINTIFF PRAYS FOR AN INJUNCTION TO PREVENT ACTS OF RETALIATION IN ANY FORM, EVEN UNDER THE GUISE OF COLLEGE "POLICY"

Plaintiff has shown good cause and met the appropriate burden for the issuance of an injunction to prevent the application of PCL Bylaws 16-16.6, PCL student handbook rules 1.1.13. & 1.1.14

or any internal processes that PCL may create, adopt, or engage in to subsequently eject, expel, or otherwise remove Todd Hill from the institution as a student or PCL Board member.

PCL has set up a series of rules for the sole purpose of punishing and/or expelling Todd Hill from the educational institution. On November 23, 2021, Student Handbook Rule 1.1.13 & 1.1.14 was created by the PCL Board to retaliate against Todd & prevent him from giving notice to the California Bar about PCL's lack of compliance. Further other members of the PCL community have attempted to utilize the internal grievance system and all have failed to have a proper response.

Many of these rules plaintiff asserts PCL, its administrators, agents, officers, and directors have broken in a relentless attempt to harass, discredit and malign him into acquiescence. The rules reference "proper PCL channels", sham language meant to imply to that the school is run in accord with California law, the Colleges own student policies and bylaws, or to what would normally be considered by statute "the minimal standards of a postsecondary school."

PLAINTIFF SEEKS CRIMINAL REFERRAL AND DIRECT REFERRAL TO STATE BAR FOR DISCIPLINARY ACTION WHERE COURT FINDS SUFFICIENT CAUSE TO DO SO

Plaintiff's, as well as PCL as an entity, rights were criminally violated when, during a contentious Board meeting conducted via Zoom, after multiple prior warnings and a duty to refrain from conduct that raises the specter of liability, without prior notice or vote, decided to record the meeting.

Plaintiff makes no definitive assertion as to motive, although plaintiff believes it was in an attempt to "trigger" the plaintiff to capture him in a false light to further discredit him and impede his discovery of Defendants criminal and tortious schemes.

Defendants have justified this conduct with an attempt to "confuse" the issue and saying that "I consented by staying on the call" because a pop-up indicating that by staying on the call you agree to Zoom's "Terms of Service."

Plaintiff has demonstrated that consent was never granted, but if there remains a question it is for the "trier of fact" to resolve.

Plaintiff argues that under current California statute

SHAM LANGUAGE USED TO CONCEAL DECEIT AND PATTERN AND PRACTICE OF HARASSMENT

This sham language is consistently used to imply that the administration has disciplinary and/or other protective measures, when as a pattern and practice it has in reality deceptively solicited "work" from students or "underpaid and overworked" registrars (who must by Calbar policy have Juris Doctorates) who are inevitably harassed until they are silenced or "run out of town" when they realize that the administration is, in fact, corrupt.

PLAINTIFF ACKNOWLEDGES THAT A COLLEGE WITHOUT A STUDENT GRIEVANCE LIKELY IS A COLLEGE WITHOUT STUDENTS, BUT HERE.....

PCL has a long history of student grievance, arising to the level of legal filing most recently related to election “shenanigans” ended in a dismissal and settlement. Many of the defendants of that case in which they supported fair elections conducted in accord with the Bylaws of the Corporation are defendants here culpable for conduct they would likely once claim to abhor.

On June 15, 2021, Nancy Popp, a PCL 1L student, filed a grievance based on the lack of compliance of PCL around its collection of tuition, its failure to engage in honesty and integrity, a failure of transparency in PCL administration, and failure to deliver accurate grades and consistent instruction. There has been no response by PCL to address, repair, fix, or even respond to this grievance. There were three meetings that were unproductive and talked about writing a letter as a response, but no concrete action was taken to mitigate the issues discussed.

On May 5, 2021, Kevin Clinton informed Christina Gonzalez upon her request, the President from January 17- November 14, 2021, the root of his conflict with the Dean of PCL at the time, Ira Spiro. Christina offered mediation, which Kevin knew was an explicit student handbook 2.1 remedy and presumed that she had taken the information and accepted it as a formal grievance. Kevin rejected the remedy and opted for student handbook remedy 2.8 (Formal Censure) or 2.11 (Monetary penalty). Upon this request, Christina ceased speaking to Kevin on the matter and told him to file a grievance. Kevin interpreted this action as burying the grievance and that as President she gave an offer to establish a grievance process and upon not getting the answer, she wanted refused to carry it forward to the PCL Board. This grievance was about ongoing harassment Kevin received after Kevin prevented Ira from fixing and meddling in the PCL Board election of 2020.

On July 17, 2021, Kevin Clinton filed a grievance against Hector Pena, the current PCL president, and to this day has yet to receive response, notice, other affirmative action or follow up. This grievance was about retaliation faced from Hector Pena after Kevin prevented Hector from fixing the PCL Board election of 2020, Hector’s violation of student privacy where Hector asked about a students romantic status because her partner transferred out of PCL, and ongoing harassment by Hector of Kevin Clinton within the PCL community. Most recently, Kevin was notified by the non-elected PCL Board member Prem Sarin, that the PCL board was having conversations about him with student board members in violation of student privacy policy, Student Handbook XVI.

FRAUD; MISREPRESENTATION; UNFAIR BUSINESS PRACTICES AND ACTS IN VIOLATION OF THE UNFAIR COMPETITION LAW (UCL) AND FRAUD; BREACH OF CONTRACT; NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS; INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS; CONVERSION; EXTORTION; BAD FAITH.

1. Knew or should have known that school was out of compliance; in fact, plaintiff exhibits include definitive proof of this knowledge and the attempt to hide it by current and former members of the Administration, including Christina Gonzalez, Ira Spiro, and Hector C. Pena.

2. Knew or should have known the school cannot charge fees in non-compliant status. You also had a duty to report issues re noncompliance.

3. Created contracts and collected fees anyway. Most recently an additional, factually insupportable, demand for \$1866.00. When asked for verification and proof of debt, organization responded with the threat, executed yesterday, of blockage from classes. Law students are required.

a. PCL barred from **Production of "Account:"**

Pursuant to California Code of Civil Procedure section 454, "[i]t is not necessary for a party to set forth in a pleading the items of an account therein alleged, but **he must deliver to the adverse party, within ten days after a demand thereof in writing, a copy of the account, or be precluded from giving evidence thereof.**

The court or judge thereof may order a further account when the one delivered is too general, or is defective in any particular."

Upon a demand made for payment under similar circumstances and explicit protest, plaintiff paid to Defendants the sum of

4. Installed a "poison pill" to illegally retain students that successfully passed the FYLSX, issuing two (2) units for classes that EVERY OTHER institution in the State awards 3 units for; 1/3 the units results in the net loss of credits they should have earned; in addition, other institutions set a "minimum number of units" for degree qualification; obviously, a PCL student receiving 2/3rd the units for the "equivalent coursework" is unfair, unconscionable, and illegal.

5. Recruited students, board members, and officers of the Corporation without disclosing the material differences in the units awarded.

5. Defendants lied, misrepresented, obstructed and otherwise attempted to obfuscate and confuse those whom they have likely victimized.

6. Defendants targeted, bullied, harassed, threatened, gaslighted, and defamed myself and other when convenient to the pursuit of unlawful, and likely criminal, purpose.

7. In abject defiance to Defendant's fiduciary responsibilities and duty of loyalty, Defendant's have filed a fraudulent Statement of Information to the Secretary of State, failed to hold fair elections consistent with the mandates of the Bylaws and the, allowing corporate officers to expel duly elected board members without due process.

8. Then, when students fell behind they had to sign a contract, avoiding some of their rights but also adding an additional layer of obfuscation.

9. The "Administration" of PCL persists in direct, knowing they are caught, further compounding the lawlessness, lack of remorse and willingness to attack their own students who bring lawful complaints in good faith to escape the consequences of your misconduct.

10. Extorted moneys known to be in dispute, then further attempted to extort moneys they knew or should have known was not due.

College President, Hector Pena, Treasurer David Bouffard and Secretary Prem Sarin, Ira Spiro, Christina Gonzalez, Josh Gillens, and other Community Members and Members of the Community Board had constructive notice of the facts, and in determined and concerted fashion, because a quorum voting to engage in unlawful conduct cannot exculpate the individual from any corporate and/or personal liability for the foreseeable consequences of such acts conducted in bad faith .

A. Cali. Civ. Code 19 states “Every person who has actual notice of circumstances sufficient to put a prudent person upon inquiry as to a particular fact has constructive notice of the fact itself in all cases in which, by prosecuting such inquiry, he or she might have learned that fact.”

Ca. Civ. Code § 19

Here, PCL, its agents, directors, and officers were all aware that plaintiffs demands for an accounting went unanswered, no effort was made to give an accounting, and

RAISING THE BAR, ALL NAMED PARTIES HAD A DUTY TO INQUIRE

all parties had a duty to inquire in addition to

DEFENDANT PREYS ON A CLASS INDIVIDUALS

Here, defendant recruits students to be members of the corporation by fraud and/or misrepresentation including failure to disclose non-standard and unlawful unit awards, claiming to operate as a “social justice school” when in reality this sham is used by the administration to obtain free services from students, including advanced commercial services .

Cal. Civ. Code 1711 counsels:

One who practices a deceit with intent to defraud the public, or a particular class of persons, is deemed to have intended to defraud every individual in that class, who is actually misled by the deceit.

Ca. Civ. Code § 1711

Enacted 1872.

Here, the Defendant’s actively recruit students, the vast majority of whom (estimated at > 92%) defendants know will never move beyond their first year due to the challenges of the First Year Law School Exam.

Defendants withhold material information from the students, including the unlawful and unconscionable unit award criteria, the

Ca. Civ. Code § 1712

DEFENDANT MODUS OPERANDI VIOLATES CORE PUBLIC POLICY

Conduct defined supra and infra by the Defendants as they failed to disclose material facts, including an unlawful unit awards standards, compliance with documentation, and for classes taken that provides le

Cal. Civ. Code § 1770

FACTUAL BACKGROUND

Plaintiff began attending People's College of Law in the Fall of 2019. Prior to entry and initial payment, plaintiff was notified that the school had recently moved to the "quarter" system for classes. Sometime between receiving notification of passing the required "First Year Law School Examination", required by the California State Bar for future admission and the "recognized" grant of credit, Plaintiff saw what he initially believed was simply an "accounting" error; he was issued two "2" units instead of the statutorily mandated three (3) units.

STANDING

Plaintiff has privity as a duly elected Board Member, Secretary of the Corporation (past; ousted by ultra vires act and false Statement of Information filing to the State of California, in that the Board, its agents, and assignees did not utilize the bylaws, the courts, nor due process to achieve the change; no lawful means was used to change the comport of the organization.

REQUEST(S) FOR INJUNCTIVE RELIEF

Plaintiff seeks the following:

PRELIMINARY RELIEF TO PRESERVE THE STATUS QUO

An injunction restraining defendant, its members, agents and any and all confederates from calling or continuing any strike or personal attack against plaintiff, from interfering in any manner, directly or indirectly, with plaintiff's studies or engaging in the business of plaintiff," from causing or permitting its members, officers, or others acting in concert or part with them, including any and all persons, unions, associations, groups or bodies, teachers and/or students from interfering in any manner, directly or indirectly, with the business, good will, name or reputation of plaintiff, from attempting to take any action which may negatively influence and/or impede any efforts to transfer or otherwise resolve academic issues of the plaintiff resulting from the conduct stated in the cause, from attempting to coerce, threaten or intimidate any colleagues or peer students of plaintiff (1) employer or member of plaintiff organizations (2) the California State Bar, association, or to attempt to persuade said employees or members or any of them, to join defendant or any other in non-meritorious cause of action.

Thus, by the terms of the decree, defendant is prohibited from carrying on, not only unlawful acts, but even those which, either by statute or otherwise, have come to be recognized as lawful activities in which a labor union may engage. Upon appeal to the Appellate Division that court affirmed the judgment of Special Term and stated that because of its acts of violence defendant

union was not engaged in a labor dispute and was "beyond the pale and protection of section 876-a. * * * The defendant union and its adherents, by their conduct referred to, became outlaws and, therefore, not entitled to the protection of the statute." (255 App. Div. 643, at p. 644. Cf. Code Crim. Proc. §§ 814, 826.)

Upon this appeal there is involved the scope and application of a legislative enactment whose wisdom or lack of wisdom is not a consideration open to judicial inquiry. Subject only to constitutional restrictions, it is the duty of this court to apply the statute as enacted by the Legislature.

As indicated above, PCL "Board Members" and administrators have acted in hoc modo ultra vires

The legislative history for section 527.6 states that, under prior law, " 'a victim of harassment [could] bring a tort action based either on invasion of privacy or on intentional infliction of emotional distress. Where great or irreparable injury [was] threatened, such victim [could] obtain an injunction under procedures detailed in [section] 527(a).' " (Smith v. Silvey (1983) 149 Cal.App.3d 400, 405, 197 Cal.Rptr. 15.) In comparison, section 527.6 " 'would establish an expedited procedure for enjoining acts of "harassment," as defined, including the use of temporary restraining orders . [Section 527.6] would make it a misdemeanor to violate the injunction and ... provide[s] for the transmittal of information on the TRO or injunction to law enforcement agencies. [¶] The purpose of the [statute] is to provide quick relief to harassed persons.' " (Smith, supra , at p. 405, 197 Cal.Rptr. 15.)

PROHIBITION AGAINST ENCUMBERING OR DISPOSITION OF ASSETS

transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, without the written consent of the plaintiff, a court-appointed trustee or an order of the court, except in the usual course of business or for the basic necessities of daily operation.

INJUNCTIVE RELIEF REQUESTS STRICTLY LIMITED TO FUTURE HARMS.

The quick, injunctive relief provided by section 527.6 "lies only to prevent threatened injury"—that is, future wrongs. (Scripps Health v. Marin (1999) 72 Cal.App.4th 324, 332, 85 Cal.Rptr.2d 86 (Scripps Health).) The injunctive relief is not intended to punish the restrained party for past acts of harassment. (Ibid. ; see Russell v. Douvan (2003) 112 Cal.App.4th 399, 403, 5 Cal.Rptr.3d 137.)

Here, Plaintiff will suffer from not being provided the services that not only

Plaintiff will also suffer loss of time, money, emotional distress, the advantages to memory that proximity of learning material to the date of examination provides requiring

To provide quick relief, "[a] request for the issuance of a temporary restraining order without notice under this section shall be granted or denied on the same day that the petition is submitted to the court." (§ 527.6, subd. (e).) If a request is submitted too late in the day for effective review, the temporary restraining order must be granted or denied the next business day. (Ibid.) Subject to the provisions governing continuances, a hearing on the petition shall be held "[w]ithin 21 days, or, if good cause appears to the court, 25 days from the date that a petition for a temporary order is granted or denied." (§ 527.6, subd. (g) ; see § 527.6, subds. (o), (p) [continuances].)

It is important that the following special circumstances be illuminated for the court; criminal complaint made by petitioner as to the following conduct, attributable specifically to the parties indicated:

PLAINTIFF'S BURDEN OF PROOF STANDARD IS "CLEAR AND CONVINCING EVIDENCE."

A " '[b]urden of proof' means the obligation of a party to establish by evidence a requisite degree of belief concerning a fact in the mind of the trier of fact or the court." (Evid. Code, § 115.) "The burden of proof may require a party to ... establish the existence or nonexistence of a fact by a preponderance of the evidence, by clear and convincing proof, or by proof beyond a reasonable doubt." (Ibid.) The standard of proof that applies to a particular determination serves "to instruct the fact finder concerning the degree of confidence our society deems necessary in the correctness of factual conclusions for a particular type of adjudication, to allocate the risk of error between the litigants, and to indicate the relative importance attached to the ultimate decision."

(Conservatorship of Wendland (2001) 26 Cal.4th 519, 546, 110 Cal.Rptr.2d 412, 28 P.3d 151 (Wendland); see also In re Winship (1970) 397 U.S. 358, 369-373, 90 S.Ct. 1068, 25 L.Ed.2d 368 (conc. opn. of Harlan, J.).)

Measured by the certainty each demands, the standard of proof known as clear and convincing evidence — which requires proof making the existence of a fact highly probable — falls between the "more likely than not" standard commonly referred to as a preponderance of the evidence and the more rigorous standard of proof beyond a reasonable doubt. We granted review in this case to clarify how an appellate court is to review the sufficiency of the evidence associated with a finding made by the trier of fact pursuant to the clear and convincing standard.

Plaintiff further asks that any acts that are clearly designed to shield assets of the corporation for the purposes of

T.B. v. O.B. (In re O.B.), 9 Cal.5th 989 (Cal. 2020)

T.B. v. O.B. (In re O.B.), 9 Cal.5th 989, 998-99 (Cal. 2020) ("The standard of proof known as clear and convincing evidence demands a degree of certainty greater than that involved with the preponderance standard, but less than what is required by the standard of proof beyond a reasonable doubt. This intermediate standard "requires a finding of high probability." (In re Angelia P. , supra , 28 Cal.3d at p. 919, 171 Cal.Rptr. 637, 623 P.2d 198 ; see also CACI No. 201

["Certain facts must be proved by clear and convincing evidence This means the party must persuade you that it is highly probable that the fact is true"].) One commentator has explicated, "The precise meaning of 'clear and convincing proof' does not lend itself readily to definition. It is, in reality, a question of how strongly the minds of the trier or triers of fact must be convinced that the facts are as contended by the proponent. ... Where clear and convincing proof is required, the proponent must convince the jury or judge, as the case may be, that it is highly probable that the facts which he asserts are true. He must do more than show that the facts are probably true." (Comment, Evidence: Clear and Convincing Proof: Appellate Review (1944) 32 Cal . L.Rev. 74, 75.) ”)

PRELIMINARY RELIEF TO PRESERVE THE STATUS QUO NOT DETERMINISTIC OF PREVAILING PARTY

Per *Smith v. Thomas*, 687 F.2d 113 (5th Cir. 1982), granting of preliminary relief for the purposes of maintaining the status quo rejects “any notion that prevailing party status is indexed by the label of the order . Instead, the answer to the question of who has prevailed is best obtained by focus upon the achievements of the suit's prosecution juxtaposed to its central purpose, at whatever stage of the suit the inquiry is made. A three-judge court of this circuit, convened in a voting rights case, has plowed similar terrain. We are persuaded by its reasoning:

It is necessary to distinguish between two forms of interim or preliminary relief. On the one hand, interim relief can serve as, or be predicated upon, an adjudication on the merits. Thus, in *Williams v. Alioto*, [625 F.2d 845, 847-8 (9th Cir. 1980), cert denied, [450] U.S. [1012], 101 S.Ct. 1723 [68 L.Ed.2d 213] (1981)], the district court entered a preliminary injunction enjoining certain police investigative procedures. Although defendants never had the opportunity to appeal the injunction because the case was mooted by the investigation's completion, see [450] U.S. [1012], 101 S.Ct. 1723, 68 L.Ed.2d 213 (1981) (dissent by Justices Rehnquist and White to denial of certiorari), the Court of Appeals, in awarding attorney's fees, noted that the district court had found the investigative procedures to be unconstitutional; plaintiffs had obtained a determination on the merits. 625 F.2d at 847-48. On the other hand, interim relief may be no more than a means for a court to mitigate or forestall injury until it can rule on the merits. This distinction was made plain in *Bly v. McLeod*, [605 F.2d 134 (4th Cir. 1979), cert. denied, 445 U.S. 928, 100 S.Ct. 1315, 63 L.Ed.2d 761 (1980)], in which the district court entered a temporary restraining order allowing plaintiffs to vote in a primary election. The case was soon thereafter mooted by legislative amendment. In denying plaintiffs their attorney's fees, the Court of Appeals observed that the TRO "was in no way a determination on the merits," but merely prevented irreparable harm. 605 F.2d at 137.

In *Hanrahan v. Hampton*, 446 U.S. 754, 759, 100 S.Ct. 1987, 1990, 64 L.Ed.2d 670 (1979), the Supreme Court in referring to ". . . determinations [that] may affect the disposition on the merits,

but were themselves not matters on which a party could 'prevail' for purposes of shifting his counsel fees to the opposing party under § 1988 . . ." cited Bly v. McLeod, 605 F.2d 134, 137 (4th Cir. 1979).

Davis v. City of Ennis, 520 F. Supp. 262, 265-66 (N.D.Tex. 1981).

PERPETUAL RELIEF TO PREVENT FURTHER HARM

Here, Plaintiff seeks the following

VOID AB INITIO ULTRA VIRES ACTS OF THE BOARD TAKEN AFTER HIS UNLAWFUL TREATMENT AND OUSTING

- Election violation failure to adhere duties: CPC §5231 Director duty to serve in good faith and best interest of org.
- Hector Pena files factually incorrect information
 - **Violation of PC 115 (Felony)**: against the law to publish false info to the Sovereign.
 - Board members are duty bound to faithful execution of the Bylaws per CPC §5210, §7210, § 7213, §9210.
 - Unlawful acts

VOID AB INITIO THE STATEMENT OF INFORMATION FILED ON OR ABOUT 11/21 INTENTIONAL WRONGDOING

Generally, intentional wrongdoing is defined as means an act or omission taken or omitted by a Party with knowledge or intent that injury or damage could reasonably be expected to result.

PLAINTIFF HAS MADE EXTENSIVE EFFORT TO RESOLVE THIS MATTER.

California State Bar (including direct communications with Leah Wilson, the Bar's current Executive Director) , Bureau of Post-Secondary Education, the Los Angeles County Sheriff's Department ("LASD")(which issued a search warrant under a matter described infra) and the Department of Justice (informally via AG Matt Rodriguez).

With the exception of the warrant issued by LASD, all have declined to act based on statutory or interest conflict grounds.

DISCUSSION OF STATUTORY GRANT OF IMMUNITY FOR NON-PROFIT DIRECTORS

Per XXX, directors and officers of non-profit corporations enjoy complete and total immunity for their "good faith" activities.

In its response to petitioner jurisdiction, PCL will likely contend that (1) it enjoys statutory immunity from plaintiff's cause of action for common-law invasion of privacy, an intentional tort, for which the Texas Tort Claims Act (TTCA) does not waive immunity; (2) Doe's claims under the UDJA seek merely an interpretation of the PIA, a claim for which the UDJA does not waive immunity, and the PIA does not waive its immunity under the facts alleged; and (3) Does ultravires claim against Chief Manley is not viable because she is complaining solely about acts within the exercise of his official discretion.

DISCUSSION OF STATUTORY GRANT OF IMMUNITY FOR CALIFORNIA STATE BAR

Generally, entities and institutions created and instantiated by sovereign constitutional authority and/or expressed through legislative intent are immune from suit and liability unless express consent is given by the sovereign.

Here, express consent "to sue or be sued by" CALBAR is expressly granted in the plain language of the statute.

ACTS ULTRA VIRES FALL OUTSIDE THE MANTLE OF IMMUNITY

"Because governmental immunity extends 'as far as the state's [immunity] but no further,' no immunity exists for acts performed in a proprietary, non-governmental capacity." Rosenberg Dev., 571 S.W.3d at 746–47 (quoting Wasson, 489 S.W.3d at 433–34).

"Like ultra

vires acts, acts performed as part of a city's proprietary function do not implicate the state's immunity for the simple reason that they are not performed under the authority, or for the benefit,

of the sovereign." Wasson, 489 S.W.3d at 434.

Here, the Legislature has clearly mandated that the "protection of the public" beyond any other concerns is its highest priority. By implementing policies that allow those institutions under its regulatory authority to operate unlawfully, in essence allowing the predation to occur in broad daylight while they look on from a distance, is to set policy in direct conflict to their mandate for no justifiable or necessary purpose.

BAD FAITH ACTIVITY VOIDS IMMUNITY

PLAINTIFF BRINGS VIABLE ULTRA VIRES CLAIM AGAINST ENTITY AND PERSONNEL

"The term ultra vires is most commonly used to refer to acts that are beyond the scope of a corporation's purposes, as set forth in their articles of incorporation or bylaws. However, the term also has a broader meaning, implicating all actions that are 'performed without any authority to act on the subject.'"

See Parramore v. Tru-Pak Moving Sys.

, 286 F. Supp. 2d 643, 650 (M.D.N.C.2003) (quoting Black's Law Dictionary 1522 (6th ed. 1990))

The Plaintiff does not allege only facts demonstrating acts within the officer's legal authority and discretion; consequently the claim states acts that fall outside "good faith" and are thus statutorily anathema to governmental immunity.

To determine if a plaintiff has pleaded a viable ultra vires action, the court must construe relevant statutory provisions that define the scope of the governmental body's legal authority, apply those statutes to the facts as pleaded by the plaintiff, and ascertain whether those facts constitute acts beyond the agency's legal authority. *City of New Braunfels v. Tovar*, 463 S.W.3d 913, 919 (Tex. App.—Austin 2015, no pet.). When, as here, the plea to the jurisdiction challenges the sufficiency of the pleadings rather than the existence of any of the jurisdictional facts alleged by the plaintiff, the court should make the jurisdictional determination as a matter of law based solely on the facts alleged by the plaintiff, which are taken as true and construed liberally in favor of jurisdiction. *Prewett v. Canyon Lake Island Prop. Owners Ass'n*, No. 03-18-00665-CV, 2019 WL 6974993, at *1 (Tex. App.—Austin Dec. 20, 2019, no pet.) (mem. op.) (citing *Miranda*, 133 S.W.3d at 225, 227).

DEFENDANTS OFFER NO DENIALS NOR ACTS IN MITIGATION

For more than 200 days, no defendant has substantively publicated a denial to the facts asserted by plaintiff.

NO POWER TO ACT WITHOUT STATUTORY OR BYLAWS AUTHORITY GRANT

California Business and Professions Code

FRAUD AND MISREPRESENTATION

Fraud encompasses a broad range of human behavior, including " * * * anythingcalculated to deceive, * * * whether it be by direct falsehood or by innuendo, by speechor by silence, by word of mouth or by look or gesture." (

Regenold v. Baby Fold, Inc.

(1977), 68 Ill.2d 419, 435, 12 Ill.Dec. 151, 369 N.E.2d 858, citing

People ex rel.Chicago Bar Association v. Gilmore

(1931), 345 Ill. 28, 46, 177 N.E. 710; *In reAlschuler* (1944), 388 Ill. 492, 503-04; *Black's Law Dictionary* 594 (5th ed. 1979).) Too,this court has previously disciplined lawyers even though their fraudulent misconductdid not harm [99 Ill.2d 252] any particular individual.

In re Lamberis

(1982), 93 Ill.2d222, 229, 66 Ill.Dec. 623, 443 N.E.2d 549." "The Court has broadly defined fraud as any conduct calculated to deceive, whether it be by direct falsehood or by innuendo, by speech or silence, by word of mouth, by look, or by gesture. Fraud includes the suppression of the truth, as well as the presentation of false information. (

In re Witt

(1991) 145 Ill.2d 380, 583 N.E.2d 526, 531, 164 Ill. Dec.610)". See also

In re Frederick Edward Strufe

, Disciplinary case no. 93 SH 100 where the Court stated that "Fraud has been broadly defined as anything calculated to deceive." It is clear and well-established Illinois law that any attempt by any officer of the court, whether attorney or judge, to deceive is considered fraud, and when the attempt to deceive occurs in a judicial proceeding, it is "fraud upon the court".

ULTRA VIRES ACTION IMPLIES BAD FAITH

The term 'bad faith' implies that the judge 'intentionally committed acts which he knew or should have known were beyond his lawful power.' (Citation.) As so used, 'bad faith' entails actual malice as the motivation for a judge's acting ultra vires. The requisite intent must exceed mere volition; negligence alone, if not so gross as to call its genuineness into question, falls short of 'bad faith.' 'Bad faith' also encompasses acts within the lawful power of a judge which nevertheless are committed for a corrupt purpose, i.e., for any purpose other than the faithful discharge of judicial duties. In sum, 'bad faith' is quintessentially a concept of specific intent, requiring consciousness of purpose as an antecedent to a judge's acting maliciously or corruptly.'

Spruance v. Commission on Judicial Qualifications, supra

, 13 Cal.3d 778,795--796, 119 Cal.Rptr. 841, 853, 532 P.2d 1209, 1221.) The foregoing record compels the conclusion in the instant case that petitioner's primary concerns were first to inflict a completed punishment before the deputies were afforded a due process determination that punishment was warranted and, second, to accomplish her objectives in a manner to insure that such conduct would be insulated from judicial review and collateral attack. It is manifest that such a planned subversion of justice and misuse of the judicial power could be undertaken only in bad faith." I refer to and incorporate the Order Striking Challenge for Cause And Verified Answer of Judge Corey S. Cramin filed on January 26, 2012 a true and correct copy is attached hereto as Exhibit "A," and incorporated herein by this reference. At P. 4,5

CIRCUMSTANCES PREDETERMINE CAUSE TO ISSUE REMEDY AND RULE AGAINST DEFENDANT

Making false statements of law, by falsely attributing statements by an author is engaging in bad faith willful misconduct due to intentional disregard of the law, and as demonstrated in this pleading predetermines disposition to rule against the defendant.

VERIFIED STATEMENT OF DISQUALIFICATION UNDER THE AUTHORIZATION OF SECTION 170.3 OF THE CODE OF CIVIL PROCEDURE OF THE STATE OF CALIFORNIA.

BOARD MEMBERS AID AND ABET THE CONTINUANCE OF CRIMINAL HARASSMENT

“As noted, some cases suggest that a plaintiff also must plead specific intent to facilitate the underlying tort. We need not decide whether specific intent is a required element because, read liberally, the fifth amended complaint alleges that [defendant] intended to assist the Association in breaching its fiduciary duties. In particular, plaintiffs allege that, with knowledge of the Association’s breaches, [defendant] ‘gave substantial encouragement and assistance to [the Association] to breach its fiduciary duties.’ Fairly read, that allegation indicates intent to participate in tortious activity.” (Nasrawi, supra, 231 Cal.App.4th at p. 345, original italics, internal citations omitted.)

CONSPIRACY

“[W]e consider whether the complaint states a claim based upon ‘concert of action’ among defendants. The elements of this doctrine are prescribed in section 876 of the Restatement Second of Torts. The section provides, ‘For harm resulting to a third person from the tortious conduct of another, one is subject to liability if he (a) does a tortious act in concert with the other or pursuant to a common design with him, or (b) knows that the other’s conduct constitutes a breach of duty and gives substantial assistance or encouragement to the other to so conduct himself, or (c) gives substantial assistance to the other in accomplishing a tortious result and his own conduct, separately considered, constitutes a breach of duty to the third person.’ With respect to this doctrine, Prosser states that ‘those who, in pursuance of a common plan or design to commit a tortious act, actively take part in it, or further it by cooperation or request, or who lend aid or encouragement to the wrongdoer, or ratify and adopt his acts done for their benefit, are equally liable with him. [para.] Express agreement is not necessary, and all that is required is that there be a tacit understanding’” (Sindell v. Abbott Laboratories (1980) 26 Cal.3d 588, 604 [163 Cal.Rptr. 132, 607 P.2d 924], internal citations omitted.

BOARD MEMBERS HAD DUTY TO PREVENT TORTIOUS ACT

While plaintiff acknowledges that it is well established that ‘Mere knowledge that a tort is being committed and the failure to prevent it does not constitute aiding and abetting. “As a general rule, one owes no duty to control the conduct of another” (Austin B. v. Escondido Union School Dist. (2007) 149 Cal.App.4th 860, 879 [57 Cal.Rptr.3d 454], internal citations omitted.)

Here, corporate “officers” including Hector Pena, David Bouffard, and Prem Sarin have filed (or caused to be filed) false statements to the state of California (see SOI’s filed), made intentional

misstatements and representations of law (specifically licensed attorney's Ira Spiro and Christina Gonzalez)

(5) "[A]n

account stated is formed

when a statement of the amount owed is sent to a debtor and the debtor

fails to respond

in a reasonable time

thereby implying agreement to the amount owed."

See

Hadsell v. Mandarich Law Group, LLP

, 12-cv-235-L(RBB), 2013 U.S. Dist. LEXIS 49191, at *9-10 (S.D. Cal. Apr. 3, 2013). (6) An account stated, being a contract (

see

Trafton v. Youngblood

, 69 Cal.2d 17, 25 (1968)) is subject to other contract action defenses, for example

,lack of consent

(Cal. Civ. Code §§ 1565-1579),

illegality

(Cal. Civ. Code §§ 1595-1599), and

lack of capacity

(Cal. Civ. Code § 1556).

See also

Cal. Fam. Code §§ 6500

et seq

. (minors) and Cal. Civ. Code §§ 38

et seq